

PTO/SB/30 (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## REQUEST

**FOR** 

## **CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Address to: Commissioner for Patents **Box RCE** Washington, DC 20231

lection of information unless it displays a valid OMB control number.				
Application Number	08/716,360			
Filing Date	August 3, 1999			
First Named Inventor	ROBERT JOHN MABBOTT			
Art Unit	1774			
Examiner Name	Michael E. Grendzynski			
Attorney Docket Number	081069-0265382			

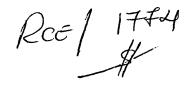
Request for Continued Ex		R 1.114 does n	ot apply to any	4 of the above-identified application. y utility or plant application filed prior to June 8, USPTO) on page 2.			
1. Submission req	uired under 37 CFR 1.114						
ii. (Any uner ii. Consid iii. Other b. X Enclosed i. X Amend	der the amendment(s)/reply undentered amendment(s) referred to above will be	e entered). Brief or Repl	y Brief pre	viously filed on viously filed on  on Disclosure Statement (IDS)			
period of _	a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)						
	e under 37 CFR 1.17(e) is required by 37 CFI						
Deposit Ac	or is hereby authorized to charge scount No. <u>033975</u> se required under 37 CFR 1.17(o sion of time fee (37 CFR 1.136 and 1	 e)	g fees, or o	credit any overpayments, to			
b. D Check in th	ne amount of \$	enclo	sed				
c. Payment by credit card (Form PTO-2038 enclosed)  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
	SIGNATURE OF APPLICA	ANT, ATTORI	IEY, OR AG	SENT REQUIRED			
Name (Print/Type)	Bryan P. Colffes (		Registr	ration No. (Attorney/Agent) 43560			
Signature	Duffeller	<u>.</u>	Date	July 24, 2003			
	CERTIFICATE OF MAILING OR TRANSMISSION						
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.							
Name (PrintlType)							
Signature			Date				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the arnount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

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## FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 750.00

Compl te if Kn wn						
Application Number	08/716,360					
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First Named Inventor	ROBERT JOHN MABBOTT					
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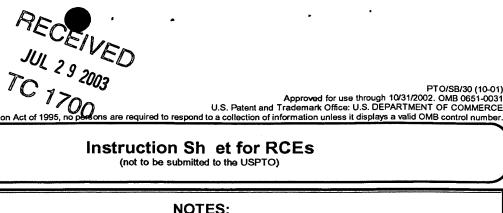
METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)						
Check Credit card Money Other None			3. ADDITIONAL FEES						
X Deposit	Account:						Entity		
Deposit		000075		Fee Code		Fee Code	Fee (\$)	Fee Description	Fee Paid
Account Number		033975		1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account	PILLSB	URY WINTHROP	LLP	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Commiss	ioner is autho	rized to: (check all that app	[v)	1053	130	1053		Non-English specification	<del></del>
	Charge fee(s) indicated below X Credit any overpayments		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	<b></b>	
Charge any	additional fee	(s) during the pendency of the	nis application	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
	(s) indicated be entified deposit	elow, except for the filing f	ee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-id				1251	110	2251	55	Extension for reply within first month	
4 DAGIGE		CALCULATION		1252	410	2252	205	Extension for reply within second month	
1. BASIC FI Large Entity S				1253	930	2253	465	Extension for reply within third month	
Fee Fee	Fee Fee	Fee Description	Fee Paid	1254	1,450	2254	725	Extension for reply within fourth month	
Code (\$) 1001 750	Code (\$) 2001 375	Utility filing fee		1255	1,970	2255	985	Extension for reply within fifth month	
1001 730	2001 373	Design filing fee		1401	320	2401	160	Notice of Appeal	
1003 520	2003 260	Plant filing fee		1402	320	2402	160	Filing brief in support of an appeal	
1004 750	2004 375	Reissue filing fee		1403	280	2403	140	Request for oral hearing	
1005 160	2005 80	Provisional filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		<u> </u>	00	1452	110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$) 0.00			1453	1,300	2453	650	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			1501	1,300	2501	650	Utility issue fee (or reissue)		
	-26	Extra Claimsbelow	Fee Paid	1502	470	2502	235	Design issue fee	
Total Claims Independent		* = 0 ×	= 0	1503	630	2503	315	Plant issue fee	
Claims		¨╸└┤╴X└──	1	1460	130	1460	130	Petitions to the Commissioner	
Multiple Deper	naent	<u> </u>	₹	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Fee Fee	Small Entity Fee Fee	<u>/</u> Fee Description		1806	180	1806	180	Submission of Information Disclosure Stmt	
Code (\$)	Code (\$)			8021	40	8021	40	Recording each patent assignment per property (times number of properties).	
1202 18	2202 9			1809	750	2809	375		
1201 84 1203 280	2201 42 2203 140			4046	750	0045	27.5	(37 CFR 1.129(a))	
1203 280 1204 84	2203 140			1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
.20, 04		over original patent	****	1801	750	2801	375	Request for Continued Examination (RCE)	750.00
1205 18	2205 9	** Reissue claims in exc and over original pate		1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$) 0.00				fee (sp				<u> </u>	
**or number previously paid, if greater; For Reissues, see above			*Redu	ced by	Basic i	Filing F	ee Paid SUBTOTAL (3) (\$)	750.00	
		- 1							

SUBMITTED BY Registration No. Name (Print/Type) Telephone (703) 905-2038 43560 (Attomey/Agent) Date July 24, 2003 Signature

> WARNING/Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.





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#### NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

#### Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

#### Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under Ex parte Quayle). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

#### **WARNINGS:**

#### Reauest for Susr)ension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

#### Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

Se MPEP 706.07(h) for further information n the RCE practic .



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**MABBOTT** 

Group Art Unit: 1774

Application No. 08/716,360

THE CHILLIS TO THE PARTY OF THE Examiner: Michael E. Grendzynski

Filed: August 3, 1999

FOR: TRANSFER MATERIALS

July 24, 2003

### **AMENDMENT**

**Assistant Commissioner for Patents** Washington, D.C. 20231

Sir:

Please consider the following amendment filed concurrently with a Request for Continued Examination for the above-noted patent application.